

Before The DOCKET FILE COPY ORIGINAL
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554

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In the Matter of

Utah Public Service Commission Petition
For Accelerated Decision For Grant of
Authority to Implement Number Conservation
Measures

NSD File No. L-99-89 **FOG MAIL ROOM**

Implementation of the Local Competition
Provisions of the Telecommunications
Act of 1996

CC Docket No. 96-98

COMMENTS OF SBC COMMUNICATIONS INC.

SBC Communications Inc. (SBC) urges the Commission to deny the petition of the Utah Public Service Commission (UPSC) for a grant of delegated authority to implement number conservation measures in advance of a national policy on number resource optimization. The UPSC seeks authority to: (1) institute mandatory thousand-block number pooling; (2) implement sharing of NXX codes in rate centers; (3) revise rationing measures and institute NXX lotteries; (4) reclaim unused and reserved central office codes;¹ (5) maintain the current central office code rationing measures for at least six months after the implementation of all area code relief plans; (6) expand deployment of permanent number portability; (7) implement unassigned number porting; and (8) implement rate center consolidation.²

The UPSC also requests the Commission to direct the NANPA to update the Central Office Code Utilization Survey (COCUS) report quarterly; to establish code allocation standards; and to consult with the UPSC prior to the issuance of additional NXX codes. Finally, the UPSC requests authority to require wireless carriers to provide COCUS and other information.

¹ The North American Numbering Plan Administrator (NANPA) already has authority to reclaim unused and reserved central office codes, and the UPSC should work with the NANPA to accomplish reclamation in accordance with industry guidelines.

² The UPSC already has authority to implement rate center consolidation.

I. General Opposition

SBC favors a national numbering optimization program, which includes cost recovery. The continued practices of granting State commissions interim authority to adopt number conservation measures, which will subsequently be superseded by a federal mechanism, places an unwarranted strain on carrier resources and subjects carriers to the potential for having to comply with conflicting State commission demands. For example, the UPSC seeks authority to institute a NXX lottery and to revise rationing procedures while other states (e.g., the Missouri Public Service Commission) have not sought the same authority.

SBC is sympathetic to the concerns of the UPSC and other State commissions on number conservation, but believes the better solution is the expeditious release of a national policy, as opposed to piecemeal adoption of various and potentially conflicting State commission policies on number conservation measures. If the Commission feels compelled to allow individual State commissions to adopt interim number optimization measures, it should at least require State commissions to define in detail the measures they plan to implement to ensure they will not be in conflict with the Commission's eventual national number optimization policies. While the UPSC has been more specific than some other State commissions in regard to its proposals, it still is seeking grants of broad authority that will almost inevitably come into conflict with later adopted federal policies and goals.

II. Specific Points

SBC is opposed to inflexible number conservation measures, such as sequential individual number assignment or thousand block number assignment without exceptions, because more numbers (*e.g.*, numbers beyond a thousand block threshold) may be necessary to serve major customers.

Number pooling "trials" should not be permitted without the benefit of NPAC 3.0 and Efficient Data Representation (EDR). Calling them "trials" makes them no less advance deployment of number pooling before the optimal hardware and software changes are in place.

SBC is opposed to the UPSC's proposal to maintain the current central office code rationing procedures for at least six months after the implementation of all area code relief plans. Once that relief has been implemented, there will be no need for rationing because the area code will have been relieved.

SBC is opposed to the UPSC's proposal to expand permanent number portability in the context of number pooling. The obligation to deploy permanent number portability was thoroughly examined in the number portability docket and it is both unnecessary and inappropriate to change the deployment rules in the context of number pooling. The rationale for the number portability deployment schedule – and the need for number portability – was made in the context of competitive entry. Number pooling is being considered in the context of number conservation. While some of the arguments are common, many of the underlying assumptions associated with number conservation are different and need not be addressed by considering any change in or expansion of the number portability schedule.

SBC urges the Commission to continue its rejection of unassigned number porting (UNP) as proposed by the UPSC. As the Commission has previously noted, UNP is currently in too early a stage of development to order its implementation without significant risk. There is no benefit to be derived by UNP because it is not a number conservation measure. UNP's adoption would result in conflicts between carriers over numbers available for reassignment and would result in difficulties coordinating UNP with existing number portability guidelines. UNP will cause carriers' difficulty in reporting utilization and developing reasonable forecasts. UNP would result in multiple carriers being placed in the role of number administrators. Furthermore, UNP will disrupt the number conservation objectives in states that have ordered sequential number assignment. Finally, UNP would have a negative impact on carriers' abilities to keep thousand number blocks from further contamination for purposes of donation in States which implement interim number pooling.

SBC also requests the Commission to reconsider its decision to delegate the cost recovery mechanism to State commissions ordering pooling "trials." The Commission should classify such costs as interstate and direct that they be recovered in its national number pooling orders.

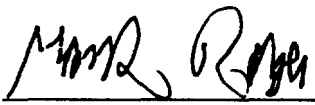
If the Commission grants the UPSC's petition, it should stress that the delegated authority is conditioned on UPSC following the principles and standards set by the Industry Numbering Committee and should require that an NPA relief plan be adopted as a prerequisite to number pooling.

III. Conclusion

SBC requests the Commission to deny the UPSC's petition for a grant of authority to implement number conservation measures and, instead, the Commission should expeditiously establish a national policy on the conservation of number resources. If the Commission grants UPSC's request, it should provide the UPSC with clear and specific guidelines on number pooling and cost recovery.

Respectfully submitted,

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January 7, 2000

CERTIFICATE OF SERVICE

I, Katie M. Turner, hereby certify that the foregoing "COMMENTS OF SBC COMMUNICATIONS INC." in NSD File No. L-99-89 and CC Docket No. 96-98 has been filed this 7th day of January 2000 to the Parties of Record.

A handwritten signature in black ink, appearing to read "Katie M. Turner", written over a horizontal line.

Katie M. Turner

January 7, 2000

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